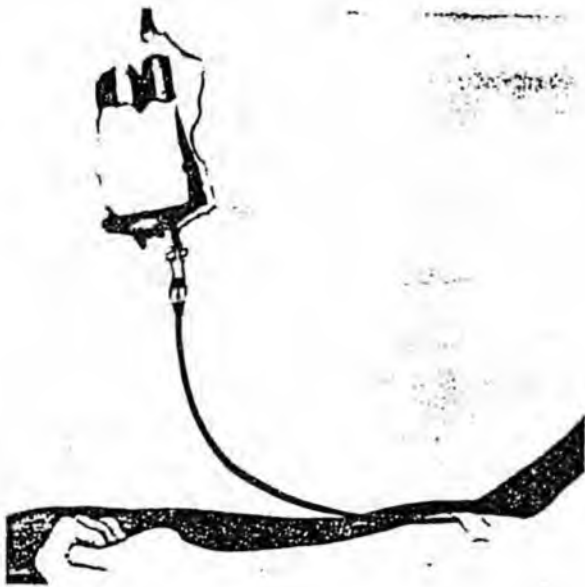


ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

SB 195 cont thru CSSB 205 74



infected with the AIDS virus. Fortunately there are not now a large number of these cases. With routine testing of blood products, the blood supply for transfusion is now safer than it has ever been with regard to AIDS.

Persons who have engaged in homosexual activities or have shot street drugs within the last 10 years should *never* donate blood.

Mother Can Infect Newborn

If a woman is infected with the AIDS virus and becomes pregnant, she is more likely to develop ARC or classic AIDS, and she can pass the AIDS virus to her unborn child. Approximately one third of the babies born to AIDS-infected mothers will also be infected with the AIDS virus. Most of the infected babies will eventually develop the disease and die. Several of these babies have been born to wives of hemophiliac men infected with the AIDS virus by way of contaminated blood products. Some babies have also been born to women who became infected with the AIDS virus by bisexual partners who had the virus. Almost all babies with AIDS have been born to women who were intravenous

drug users or the sexual partners of intravenous drug users who were infected with the AIDS virus. More such babies can be expected.

Think carefully if you plan on becoming pregnant. If there is any chance that you may be in any high risk group or that you have had sex with someone in a high risk group, such as homosexual and bisexual males, drug abusers and their sexual partners, see your doctor.

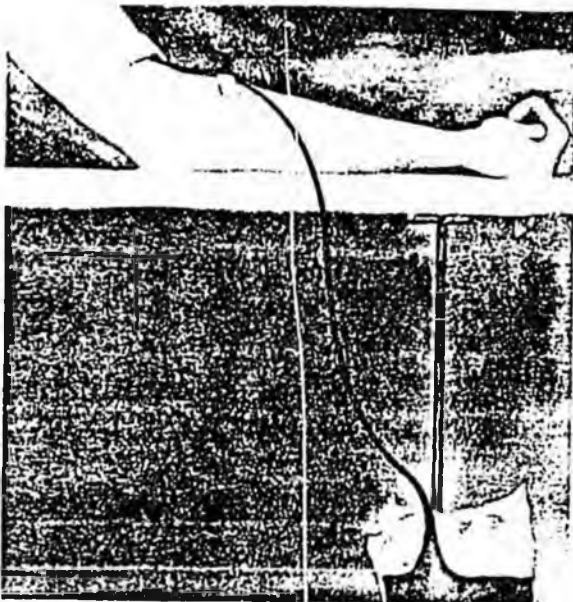
Summary

AIDS affects certain groups of the population. Homosexual and bisexual males who have had sexual contact with other homosexual or bisexual males as well as those who "shoot" street drugs are at greatest risk of exposure, infection and eventual death. Sexual partners of these high risk individuals are at risk, as well as any children born to women who carry the virus. Heterosexual persons are increasingly at risk.

AIDS: what is safe

Most Behavior is Safe

Everyday living does not present any risk of infection. You *cannot* get AIDS from casual social contact. Casual social contact should not be confused with casual *sexual* contact which is a major cause of the spread of the AIDS virus. Casual *social* contact such as shaking hands, hugging, social kissing, crying, coughing or sneezing, will not transmit the AIDS virus. Nor has AIDS been contracted from swimming in pools or bathing in hot tubs or from eating in restaurants (even if a restaurant worker has AIDS or carries the AIDS virus.) AIDS is not contracted from sharing bed linens, towels, cups, straws, dishes, or any other eating utensils. You cannot get AIDS from toilets, doorknobs, telephones, office machinery, or household furniture. You cannot get AIDS from body massages, masturbation or any non-sexual contact.



Donating Blood

Donating blood is *not* risky at all. *You cannot get AIDS by donating blood.*

Receiving Blood

In the U.S. every blood donor is screened to exclude high risk persons and every blood donation is now tested for the presence of antibodies to the AIDS virus. Blood that shows exposure to the AIDS virus by the presence of antibodies is not used either for transfusion or for the manufacture of blood products. Blood banks are as safe as current technology can make them. Because antibodies do not form immediately after exposure to the virus, a newly infected person may unknowingly donate blood after becoming infected but before his/her antibody test becomes positive. It is estimated that this might occur less than once in 100,000 donations.

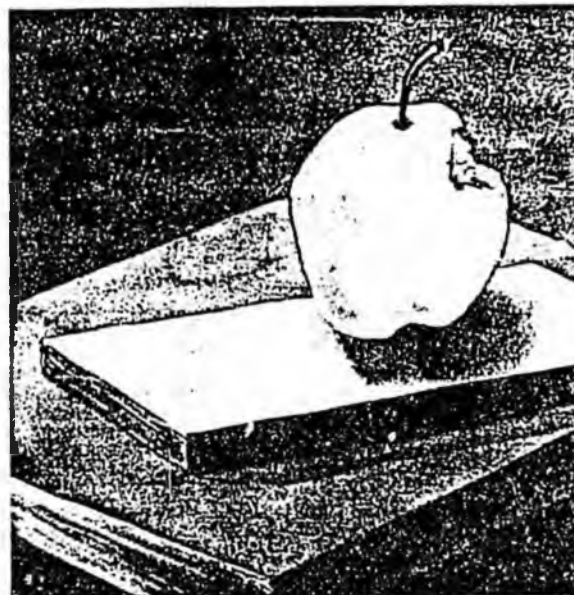
There is no danger of AIDS virus infection from visiting a doctor, dentist, hospital, hairdresser or beautician. AIDS

cannot be transmitted non-sexually from an infected person through a health or service provider to another person. Ordinary methods of disinfection for urine, stool and vomitus which are used for non-infected people are adequate for people who have AIDS or are carrying the AIDS virus. You may have wondered why your dentist wears gloves and perhaps a mask when treating you. This does not mean that he has AIDS or that he thinks you do. He is protecting you and himself from hepatitis, common colds or flu.

There is no danger in visiting a patient with AIDS or caring for him or her. Normal hygienic practices, like wiping of body fluid spills with a solution of water and household bleach (1 part household bleach to 10 parts water), will provide full protection.

Children in School

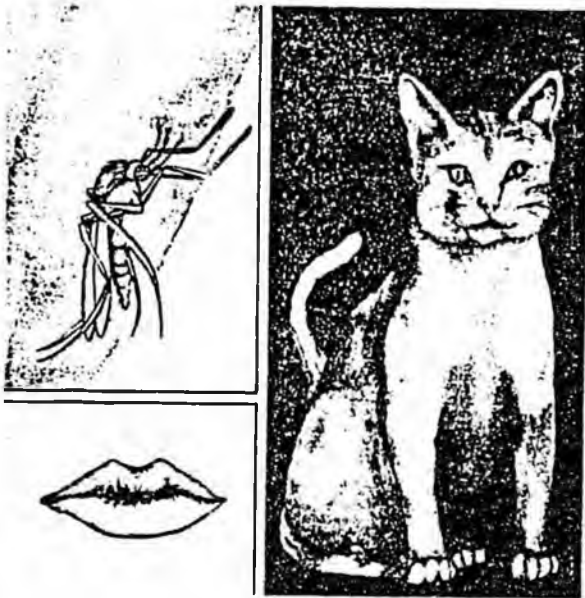
None of the identified cases of AIDS in the United States are known or are suspected to have been transmitted from one child to another in school, day care, or foster care settings. Transmission would necessitate exposure of open



cuts to the blood or other body fluids of the infected child, a highly unlikely occurrence. Even then routine safety procedures for handling blood or other body fluids (which should be standard for all children in the school or day care setting) would be effective in preventing transmission from children with AIDS to other children in school.

Children with AIDS are highly susceptible to infections, such as chicken pox, from other children. Each child with AIDS should be examined by a doctor before attending school or before returning to school, day care or foster care settings after an illness. No blanket rules can be made for all school boards to cover all possible cases of children with AIDS and each case should be considered separately and individualized to the child and the setting, as would be done with any child with a special problem, such as cerebral palsy or asthma. A good team to make such decisions with the school board would be the child's parents, physician and a public health official.

Casual social contact between children and persons infected with the AIDS virus is not dangerous.



Insects

There are no known cases of AIDS transmission by insects, such as mosquitoes.

Pets

Dogs, cats and domestic animals are not a source of infection from AIDS virus.

Tears and Saliva

Although the AIDS virus has been found in tears and saliva, no instance of transmission from these body fluids has been reported.

AIDS comes from sexual contacts with infected persons and from the sharing of syringes and needles. There is no danger of infection with AIDS virus by casual social contact.

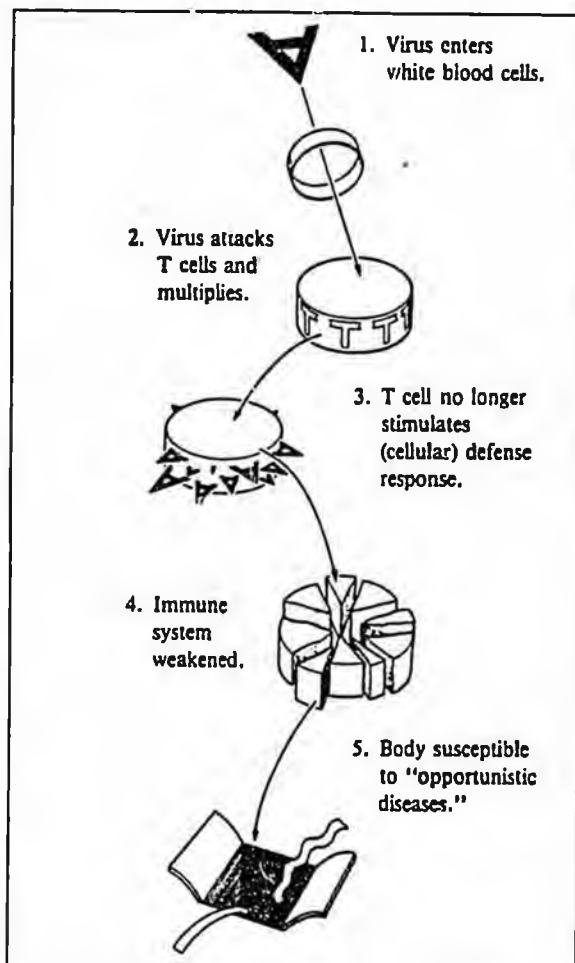
Testing of Military Personnel

You may wonder why the Department of Defense is currently testing its uniformed services personnel for presence of the AIDS virus antibody. The military feel this procedure is necessary because the uniformed services act as their own blood bank in a time of national emergency. They also need to protect new recruits (who unknowingly may be AIDS virus carriers) from receiving live virus vaccines. These vaccines could activate disease and be potentially life-threatening to the recruits.

AIDS: what is currently understood

Although AIDS is still a mysterious disease in many ways, our scientists have learned a great deal about it. In five years we know more about AIDS than many diseases that we have studied for even longer periods. While there is no vaccine or cure, the results from the health and behavioral research community can only add to our knowledge and increase our understanding of the disease and ways to prevent and treat it.

In spite of all that is known about transmission of the AIDS virus, scientists will learn more. One possibility is the



potential discovery of factors that may better explain the mechanism of AIDS infection.

Why are the antibodies produced by the body to fight the AIDS virus not able to destroy that virus?

The antibodies detected in the blood of carriers of the AIDS virus are ineffective, at least when classic AIDS is actually triggered. They cannot check the damage caused by the virus, which is by then present in large numbers in the body. Researchers cannot explain this important observation. We still do not know why the AIDS virus is not destroyed by man's immune system.

Summary

AIDS no longer is the concern of any one segment of society; it is the concern of us all. No American's life is in danger if he/she or their sexual partners do not engage in high risk sexual behavior or use shared needles or syringes to inject illicit drugs into the body.

People who engage in high risk sexual behavior or who shoot drugs are risking infection with the AIDS virus and are risking their lives and the lives of others, including their unborn children.

We cannot yet know the full impact of AIDS on our society. From a clinical point of view, there may be new manifestations of AIDS—for example, mental disturbances due to the infection of the brain by the AIDS virus in carriers of the virus. From a social point of view, it may bring to an end the free-wheeling sexual lifestyle which has been called the sexual revolution. Economically, the care of AIDS patients will put a tremendous strain on our already overburdened and costly health care delivery system.

The most certain way to avoid getting the AIDS virus and to control the AIDS epidemic in the United States is for individuals to avoid promiscuous sexual practices, to maintain mutually faithful monogamous sexual relationships and to avoid injecting illicit drugs.

Look to the Future

The Challenge of the Future

An enormous challenge to public health lies ahead of us and we would do well to take a look at the future. We must be prepared to manage those things we can predict, as well as those we cannot.

At the present time there is no vaccine to prevent AIDS. There is no cure. AIDS, which can be transmitted sexually and by sharing needles and syringes among illicit intravenous drug users, is bound to produce profound changes in our society, changes that will affect us all.

Information and Education Only Weapons Against AIDS

It is estimated that in 1991 54,000 people will die from AIDS. At this moment, many of them are not infected with the AIDS virus. With proper information and education, as many as 12,000 to 14,000 people could be saved in 1991 from death by AIDS.

AIDS will Impact All

The changes in our society will be economic and political and will affect our social institutions, our educational practices, and our health care. Although AIDS may never touch you personally, the societal impact certainly will.

Be Educated - Be Prepared

Be prepared. Learn as much about AIDS as you can. Learn to separate scientific information from rumor and myth. The Public Health Service, your local public health officials and your family physician will be able to help you.

Concern About Spread of AIDS

While the concentration of AIDS cases is in the larger urban areas today, it has been found in every state and with the mobility of our society, it is likely that cases of AIDS will appear far and wide.

Special Educational Concerns

There are a number of people, primarily adolescents, that do not yet know they will be homosexual or become drug abusers and will not heed this message; there are others who are illiterate and cannot heed this message. They must be reached and taught the risk behaviors that expose them to infection with the AIDS virus.

High Risk Get Blood Test

The greatest public health problem lies in the large number of individuals with a history of high risk behavior who have been infected with and may be spreading the AIDS virus. Those with high risk behavior must be encouraged to protect others by adopting safe sexual practices and by the use of clean equipment for intravenous drug use. If a blood test for antibodies to the AIDS virus is necessary to get these individuals to use safe sexual practices, they should get a blood test. Call your local health department for information on where to get the test.

Anger and Guilt

Some people afflicted with AIDS will feel a sense of anger and others a sense of guilt. In spite of these understandable reactions, everyone must join the effort to control the epidemic, to provide for the care of those with AIDS, and to do all we can to inform and educate others about AIDS, and how to prevent it.

Confidentiality

Because of the stigma that has been associated with AIDS, many afflicted with the disease or who are infected with the AIDS virus are reluctant to be identified with AIDS. Because there is no vaccine to prevent AIDS and no cure, many feel there is nothing to be gained by revealing sexual contacts that might also be infected with the AIDS virus. When a community or a state requires reporting of those infected with the AIDS virus to public health authorities in order to trace sexual and intravenous drug contacts — as is the practice with other sexually transmitted diseases — those infected with the AIDS virus go underground out of the mainstream of health care and education. For this reason current public health practice is to protect the privacy of the individual infected with the AIDS virus and to maintain the strictest confidentiality concerning his/her health records.

State and Local AIDS Task Forces

Many state and local jurisdictions where AIDS has been seen in the greatest numbers have AIDS task forces with heavy representation from the field of public health joined by others who can speak broadly to issues of access to care, provision of care and the availability of community and psychiatric support services. Such a task force is needed in every community with the power to develop plans and policies, to speak, and to act for the good of the public health at every level.

State and local task forces should plan ahead and work collaboratively with other jurisdictions to reduce transmission of AIDS by far-reaching informational and educational programs. As AIDS impacts more strongly on society, they should be charged with making recommendations to provide for the needs of those afflicted with AIDS. They also will be in the best position to answer the concerns and direct the activities of those who are not infected with the AIDS virus.

The responsibility of State and local task forces should be far reaching and might include the following areas:

- Insure enforcement of public health regulation of such practices as ear piercing and tattooing to prevent transmission of the AIDS virus.
- Conduct AIDS education programs for police, firemen, correctional institution workers and emergency medical personnel for dealing with AIDS victims and the public.
- Insure that institutions catering to children or adults who soil themselves or their surroundings with urine, stool, and vomitus have adequate equipment for cleanup and disposal, and have policies to insure the practice of good hygiene.

School

Schools will have special problems in the future. In addition to the guidelines already mentioned in this pamphlet, there are other things that should be considered such as sex education and education of the handicapped.

Sex Education

Education concerning AIDS must start at the lowest grade possible as part of any health and hygiene program. The appearance of AIDS could bring together diverse groups of parents and educators with opposing views on inclusion of sex education in the curricula. There is now no doubt that we need sex education in schools and that it must include information on heterosexual and homosexual relationships. The threat of AIDS should be sufficient to permit a sex education curriculum with a heavy emphasis on prevention of AIDS and other sexually transmitted diseases.

Handicapped and Special Education

Children with AIDS or ARC will be attending school along with others who carry the AIDS virus. Some children will develop brain disease which will produce changes in mental

behavior. Because of the right to special education of the handicapped and the mentally retarded, school boards and higher authorities will have to provide guidelines for the management of such children on a case-by-case basis.

Labor and Management

Labor and management can do much to prepare for AIDS so that misinformation is kept to a minimum. Unions should issue preventive health messages because many employees will listen more carefully to a union message than they will to one from public health authorities.

AIDS Education at the Work Site

Offices, factories, and other work sites should have a plan in operation for education of the work force and accommodation of AIDS or ARC patients *before* the first such case appears at the work site. Employees with AIDS or ARC should be dealt with as are any workers with a chronic illness. In-house video programs provide an excellent source of education and can be individualized to the needs of a specific work group.

Strain on the Health Care Delivery System

The health care system in many places will be overburdened as it is now in urban areas with large numbers of AIDS patients. It is predicted that during 1991 there will be 145,000 patients requiring hospitalization at least once and 54,000 patients who will die of AIDS. Mental disease (dementia) will occur in some patients who have the AIDS virus before they have any other manifestation such as ARC or classic AIDS.

State and local task forces will have to plan for these patients by utilizing conventional and time honored systems but will also have to investigate alternate methods of treatment and alternate sites for care including homecare.

The strain on the health system can be lessened by family, social, and psychological support mechanisms in the community. Programs are needed to train chaplains, clergy, social workers, and volunteers to deal with AIDS. Such support is particularly critical to the minority communities.

Mental Health

Our society will also face an additional burden as we better understand the mental health implications of infection by the AIDS virus. Upon being informed of infection with the AIDS virus, a young, active, vigorous person faces anxiety and depression brought on by fears associated with social isolation, illness, and dying. Dealing with these individual and family concerns will require the best efforts of mental health professionals.

Controversial Issues

A number of controversial AIDS issues have arisen and will continue to be debated largely because of lack of knowledge about AIDS, how it is spread, and how it can be prevented. Among these are the issues of compulsory blood testing, quarantine, and identification of AIDS carriers by some visible sign.

Compulsory Blood Testing

Compulsory blood testing of individuals is not necessary. The procedure could be unmanageable and cost prohibitive. It can be expected that many who *test* negatively might actually be positive due to *recent* exposure to the AIDS virus and give a false sense of security to the individual and his/her sexual partners concerning necessary protective behavior. The prevention behavior described in this report, if adopted, will protect the American public and contain the AIDS epidemic. Voluntary testing will be available to those who have been involved in high risk behavior.

Quarantine

Quarantine has no role in the management of AIDS because AIDS is not spread by casual contact. The only time that some form of quarantine might be indicated is in a situation where an individual carrying the AIDS virus knowingly and willingly continues to expose others through sexual contact or sharing drug equipment. Such circumstances should be managed on a case-by-case basis by local authorities.

Identification of AIDS Carriers by Some Visible Sign

Those who suggest the marking of carriers of the AIDS virus by some visible sign have not thought the matter through thoroughly. It would require testing of the entire population which is unnecessary, unmanageable and costly. It would miss those recently infected individuals who would test negatively, but be infected. The entire procedure would give a false sense of security. AIDS must and will be treated as a disease that can infect anyone. AIDS should not be used as an excuse to discriminate against any group or individual.

Updating Information

As the Surgeon General, I will continually monitor the most current and accurate health, medical, and scientific information and make it available to you, the American people. Armed with this information you can join in the discussion and resolution of AIDS-related issues that are critical to your health, your children's health, and the health of the nation.

Additional Information

Telephone Hotlines (Toll Free)

PHS AIDS Hotline
800-342-AIDS
800-342-2437

National Sexually Transmitted Diseases Hotline/
American Social Health Association
800-227-8922

National Gay Task Force
AIDS Information Hotline
800-221-7044
(212) 807-6016 (NY State)

Information Sources

*U.S. Public Health Service
Public Affairs Office*
Hubert H. Humphrey
Building, Room 725-H
200 Independence Avenue,
S.W.
Washington, D.C. 20201
Phone: (202) 245-6867

*Local Red Cross or
American Red Cross
AIDS Education Office*
1730 D Street, N.W.
Washington, D.C. 20006
Phone: (202) 737-8300

*American Association of
Physicians for
Human Rights*
P.O. Box 14366
San Francisco, CA 94114
Phone: (415) 558-9353

AIDS Action Council
729 Eighth Street, S.E.,
Suite 200
Washington, D.C. 20003
Phone: (202) 547-3101

Gay Men's Health Crisis
P.O. Box 274
132 West 24th Street
New York, NY 10011
Phone: (212) 807-6655

Hispanic AIDS Forum
c/o APRED
853 Broadway, Suite 2007
New York, NY 10003
Phone: (212) 870-1902 or
870-1864

Los Angeles AIDS Project
1362 Santa Monica
Boulevard
Los Angeles, California
90046
(213) 871-AIDS

Minority Task Force on AIDS
c/o New York City Council
of Churches
475 Riverside Drive,
Room 456
New York, NY 10115
Phone: (212) 749-1214

Mothers of AIDS Patients
(MAP)
c/o Barbara Peabody
3403 E Street
San Diego, CA 92102
(619) 234-3432

National AIDS Network
729 Eighth Street, S.E.,
Suite 300
Washington D.C. 20003
(202) 546-2424

*National Association of
People with AIDS*
P.O. Box 65472
Washington, D.C. 20035
(202) 483-7979

*National Coalition of Gay
Sexually Transmitted
Disease Services*
c/o Mark Behar
P.O. Box 239
Milwaukee, WI 53201
Phone: (414) 277-7671

*National Council of
Churches/ AIDS Task Force*
475 Riverside Drive,
Room 572
New York, NY 10115
Phone: (212) 870-2421

*San Francisco AIDS
Foundation*
333 Valencia Street,
4th Floor
San Francisco, CA 94103
Phone: (415) 863-2437

CSSB

195

HOUSE COMMITTEE REPORT

(11)

Date referred: 5/14/87

FURTHER REFERRALS:

5/15 Rules

DATE: 5-15-87

The Finance Committee has considered CSSB 195(Fin)

"An Act making an appropriation to the Department of Health and Social Services, division of public health, for the Alaska AIDS program; and providing for an effective date."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: HOUSE letter of intent
Hess

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published 5-14-87
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

[Handwritten signatures]

SIGNING OTHER RECOMMENDATIONS:

[Handwritten signature]

[Handwritten signature]

 Chairman's signature



Alaska State Legislature
House of Representatives
COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V
JUNEAU, AK 99811
465-3759

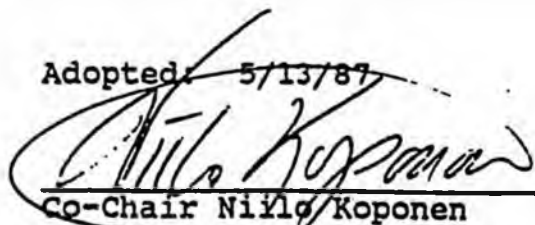
HOUSE HESS COMMITTEE

LETTER OF INTENT

CSSB 195 (FIN)

It is the intent of the Legislature that the programs funded by the Division of Public Health for AIDS education in the public school system be approved by the locally elected school boards.

Adopted: 5/13/87


Co-Chair Niilo Koponen


Co-Chair Johnny Ellis

435

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: CSSB 195 (Fin)
Publish Date: HOUSE 5/14/87

Revision Date: _____
Title: "An Act Making an Appropriation
for the Alaska AIDS Program"
Sponsor: HESS Committee
Requestor: _____

Agency Affected: Health & Social Services
BRU: State Health Services
Components: Epidemiology, Nursing,
Laboratories

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		225.5				
TRAVEL		50.0				
CONTRACTUAL		100.0				
SUPPLIES		120.0				
EQUIPMENT		2.5				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		498.0				

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		498.0				
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		5.0				
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Elizabeth Ward, M.N., Director *E.W.*
Division: Division of Public Health

Phone: 465-3090
Date: 4/23/87

Approved by Commissioner: *Mary H. Munn*
Agency: _____

Date: 4/23/87

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

BUDGET ANALYSISPersonal Services \$225.5

The five new full-time positions being requested are as follows: 92.0

2-Microbiologist II positions (Fairbanks) (\$46 x 2 = \$92.0)

These two positions will provide the laboratory support necessary to process the HIV specimens.

1-Data Processing Clerk position (Fairbanks) This position will provide the data entry and clerical support necessary to the laboratory for the processing of the HIV specimens. 30.6

1-Education Specialist II (Anchorage) This position will provide for the development and implementation of an AIDS curriculum for Alaskan schools. 59.7

1-Public Health Representative (Anchorage) This position will assist with the overall coordination of AIDS activities throughout the state, including screening, training, and health education. 43.2

Travel \$50.0

Includes \$20.0 for an AIDS training seminar for State PHN's from select communities. It will provide training to State PHN's to do screening, counseling and to assist with AIDS Health Education/Risk Education Programs in school districts and communities state-wide. It also provides for travel for the Education Specialist, Public Health Representative, and other staff involved in AIDS activities.

Contractual \$100.0

Phones, and postage. Printing and distribution of Surgeon General Koop's report or similiar public health materials for educational uses. 55.0

AIDS Health Educator (contract) 45.0

Supplies \$120.0

Health Educational materials

Equipment \$2.5

Offered: 4/27/87
Referred: Rules

5-0893B

Original sponsor: Senate Special Committee
on AIDS Prevention

Funding Information
General Fund \$498,000
Other Funds -0-
\$498,000

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 195 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act making an appropriation to the Department of
7 Health and Social Services, division of public
8 health, for the Alaska AIDS program; and providing
9 for an effective date."
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
11 * Section 1. The sum of \$498,000 is appropriated from the general fund
12 to the Department of Health and Social Services, division of public health,
13 for the Alaska AIDS program.
14 * Sec. 2. The unexpended and unobligated portion of the appropriation
15 made by sec. 1 of this Act lapses into the general fund June 30, 1988.
16 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

SENATE
Letter of Intent

CSSB 195 (FIN)

It is the intent of the Legislature that the programs funded by the Division of Public Health for AIDS education in the public school system be approved by the locally elected school boards to stress abstinence as the only totally effective preventive method and be directed at junior and senior high school students. Parental consent shall be required to participate in AIDS education programs. Funds are not included under this appropriation for the purchase or distribution of prophylactic devices.

Adopted 5/1/87.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 19, 1987

The Honorable Tim Kelly
Chairman
Senate Special Committee
on AIDS Prevention
P.O. Box V
Juneau, AK 99811

Dear Senator Kelly:

Alaska has the chance to save lives that might otherwise be lost to the deadly AIDS virus. But we must move now if we intend to challenge head-on the grim future AIDS threatens if its transmission goes unchecked.

It's estimated that by 1991--ten years after AIDS was first recognized in this country--179,000 Americans will have died from the disease. The potential cost of health care and supportive services is astonishing--up to \$16 billion. In Alaska, 20 people are known to have died of AIDS. Another 14 will succumb in the near future. Alaska is one of ten states with the greatest rate of increase in the incidence of the disease over the last 18 months. There is no cure in sight.

However, AIDS is preventable. Alaskans do not need to panic. We need to respond. We have a very effective weapon: education. We must take advantage of the fact that AIDS is very difficult to transmit. Casual contact does not result in infection and intimate contact can be safe.

An infusion of federal money since 1985 has enabled Alaska to open testing sites and get a start on public education. It is imperative that Alaska continue that commitment. I pledge the support of this administration in this effort.

I would endorse the published findings of Surgeon General C. Everett Koop: "Education about AIDS should start in early elementary school and at home so that children can grow up knowing the behavior to avoid to protect themselves from exposure to the AIDS virus. The threat of AIDS can provide an opportunity for parents to instill in their children their own moral and ethical standards."


The Honorable Tim Kelly

-2-

March 19, 1987

State financial resources are extremely limited, as you know. However, I will support any legislative consensus on additional levels of funding for AIDS prevention education. As the Surgeon General states, "the price of neglect is high."

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Cowper". The signature is written in black ink and is positioned to the left of the printed name and title.

Steve Cowper
Governor

cc: The Honorable Niilo Koponen
The Honorable Johnny Ellis
Co-Chairmen
Health, Education and
Social Services Committee

Offered: 4/27/87
Referred: Rules

5-0893B

Original sponsor: Senate Special Committee
on AIDS Prevention

Funding Information
General Fund \$498,000
Other Funds -0-
\$498,000

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 195 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act making an appropriation to the Department of
7 Health and Social Services, division of public
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9 for an effective date."
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13 for the Alaska AIDS program.
14 * Sec. 2. The unexpended and unobligated portion of the appropriation
15 made by sec. 1 of this Act lapses into the general fund June 30, 1988.
16 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

Introduced: 3/18/87
Referred: Finance

5-0893A

Funding Information
General Fund \$698,000
Other Funds -0-
\$698,000

1 IN THE SENATE

BY THE SENATE SPECIAL
COMMITTEE ON AIDS PREVENTION

2

SENATE BILL NO. 195

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act making an appropriation to the Department of
7 Health and Social Services, division of public
8 health, for the Alaska AIDS program; and providing
9 for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. The sum of \$698,000 is appropriated from the general fund
12 to the Department of Health and Social Services, division of public health,
13 for the Alaska AIDS program.

14 * Sec. 2. The unexpended and unobligated portion of the appropriation
15 made by sec. 1 of this Act lapses into the general fund June 30, 1988.

16 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

SB

197

SENATE COMMITTEE REPORT

FURTHER:

DATE TURNED INTO OFFICE _____

Mr. President:

FINANCE Committee considered SB 197

special appropriation to the Department of Education for the foundation program; efd

and recommended:

replace with CS FOR _____) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Chairman signature and recommendation

Committee Backup Attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 3/3/87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCE

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

3/19/87

DATE TURNED INTO OFFICE 4/16/87

Mr. President:

HESS Committee considered SB 197

special appropriation to the Department of Education for the foundation program; efd.

and recommended:

- replace with CS _____ same title
- attached amendment(s) and new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Lois Jones

Rick Halford do pass with clean foundation Bill

Doc Brantson do pass with originally proposed foundation schedule; increase sum if schedule is changed.

Paul Grubb Do Pass
Chairman signature and recommendation

Committee Backup Attached

Introduced: 3/19/87
Referred: Health, Education & Social Services
& Finance

5-0859A

Funding Information

General Fund	\$399,442,400
Other Funds	28,644,100
	<u>\$428,086,500</u>

1 IN THE SENATE

BY FISCHER, KERTTULA, JONES,
UEHLING, COGHILL AND ABOOD

2 SENATE BILL NO. 197

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Education for the foundation program; and
8 providing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. The sum of \$428,086,500 is appropriated to the Department
11 of Education for the foundation program (AS 14.17) for the fiscal year
12 ending June 30, 1988, from the following sources: \$399,442,400 from the
13 general fund; \$8,000,000 from the public school fund (AS 37.14.110); and
14 \$20,644,100 from federal funds.

15 * Sec. 2. This Act takes effect July 1, 1987.

ALASKA STATE LEGISLATURE

15th Legislature 1st Session

SENATE BILL NO. 197

By FISCHER, KERTTULA, JONES, UEHLING, COGHILL, ABOOD,

"An Act making a special appropriation to the Department of Education for the foundation program; and providing for an effective date."

Introduced in the Senate 3/19, 19 87

HISTORY IN THE SENATE

19	87	Read first time and referred to Committee on										
3	19	HESS & FINANCE										
4	16	Reported back with recommendation that <i>HESS 2ds pass. 100 pass of Allen foundation bill, 100 pass of original proposed expenditure sched. to 4</i>										
		Read second time and										
		Read third time and										
		<table border="0"> <tr><td>PASSED</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Excused</td><td>Excused</td></tr> <tr><td>Absent</td><td>Absent</td></tr> </table>	PASSED	Effective Date	Yeas	Yeas	Nays	Nays	Excused	Excused	Absent	Absent
PASSED	Effective Date											
Yeas	Yeas											
Nays	Nays											
Excused	Excused											
Absent	Absent											
		Reconsideration Reconsideration not taken up										
		<table border="0"> <tr><td>PASSED</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Excused</td><td>Excused</td></tr> <tr><td>Absent</td><td>Absent</td></tr> </table>	PASSED	Effective Date	Yeas	Yeas	Nays	Nays	Excused	Excused	Absent	Absent
PASSED	Effective Date											
Yeas	Yeas											
Nays	Nays											
Excused	Excused											
Absent	Absent											
		Reported correctly engrossed Signed by President Sent to House										

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19	Read first time and referred to Committee on										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr><td>PASSED</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Excused</td><td>Excused</td></tr> <tr><td>Absent</td><td>Absent</td></tr> </table>	PASSED	Effective Date	Yeas	Yeas	Nays	Nays	Excused	Excused	Absent	Absent
PASSED	Effective Date										
Yeas	Yeas										
Nays	Nays										
Excused	Excused										
Absent	Absent										
	Reconsideration Reconsideration not taken up										
	<table border="0"> <tr><td>PASSED</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Excused</td><td>Excused</td></tr> <tr><td>Absent</td><td>Absent</td></tr> </table>	PASSED	Effective Date	Yeas	Yeas	Nays	Nays	Excused	Excused	Absent	Absent
PASSED	Effective Date										
Yeas	Yeas										
Nays	Nays										
Excused	Excused										
Absent	Absent										
	Reported correctly engrossed Signed by Speaker Returned to Senate										

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19	Received from House
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Chapter No.
	Filed with Lt. Governor

S B

2 00

2/3/88
H (215)
Fid
FIR
F

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CBSB 200 (RES)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: January 22, 1988
Title: An Act amending the mining
loan fund law
Sponsor: Coghill, Fahrenkamp, Bennett
Requester: ~~XXXXXX~~ and Faiks

Agency Affected: Commerce & Econ. Dev.
BRU: Investments
Components: _____

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Martin J. Richard, Director *MJR* Phone: 465-2510
Division: Investments Date: January 22, 1988

Approved by Commissioner: J. Anthony Smith *Anthony Smith* Date: 1-26-88
Agency: Department of Commerce and Economic Development

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

0686D-3/12288a

RECEIVED

FEB 5 1988

page 1 of 1

LEGISLATIVE FINANCE

SENATE COMMITTEE REPORT

FURTHER:

5/1/87

DATE TURNED INTO OFFICE 5/14/87

Mr. President:

FINANCE Committee considered SB 200

moratorium on mining loans; efd.

and recommended:

replace with CS FOR _____) same title
 or adopt _____ CS FOR AB 200 (Yes)) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Handwritten signatures]

[Handwritten signature] DO PASS
Chairman signature and recommendation

Committee Backup Attached

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : _____ **CS SB 200**

Publish Date : _____

Revision Date: _____

Agency Affected: Commerce & Economic Development

Title: An act relating to moratorium
on mining loans

BRU: Business Loans

Sponsor: Coghill, Fahrenkamp, Bennett &
Requestor: _____ Raiks

Components: Investments and Accounting
& Collections

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Martin J. Richard, Director Phone: 465-2510
 Division: Division of Investments Date: 1/20/87

Approved by Commissioner: [Signature] Date: _____
 Agency: Commerce & Economic Development

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

Original sponsors: Coghill, Fahrenkamp,
Bennett and Faiks

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 200 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act amending the mining loan fund law."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 27.09.040(a) is amended to read:

9 (a) A loan granted under this chapter

10 (1) may not exceed \$5,000,000;

11 (2) may not exceed a term of 15 years except for an exten-

12 sion or modification under AS 27.09.048;

13 (3) may not bear interest exceeding 10 percent; and

14 (4) may not exceed 75 percent of the appraised value of the
15 collateral used to secure the loan.

16 * Sec. 2. AS 27.09 is amended by adding a new section to read:

17 Sec. 27.09.048. EXTENSION OR MODIFICATION OF LOAN. The depart-
18 ment may grant an extension on a loan or may modify the conditions of
19 a loan, ^{including} ~~excluding~~ a reduction in the amount of interest charged under
20 the loan or a cancellation of interest due under the loan, when a
21 borrower is able to show that

22 (1) the borrower has experienced poor mining seasons; or

23 (2) regulations of the state or the federal government that
24 regulate the mining operation for which the loan was granted have been
25 changed by the state or the federal government and prevent the borrow-
26 er from fulfilling the terms of the loan.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of _____ 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCE

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

3/19/87

DATE TURNED INTO OFFICE 4/20/87

Mr. President:

RESOURCES

Committee considered SB 200

moratorium on mining loans; efd.

and recommended:

replace with CS SB200 (Res) same title
 attached amendment(s) and new title

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Signature] no Rec
Chairman signature and recommendation

Committee Backup Attached

1 IN THE SENATE

BY COGHILL, FAHRENKAMP,
BENNETT AND FAIKS

2

SENATE BILL NO. 200

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to a moratorium on mining loans; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. MORATORIUM ON MINING LOANS. Notwithstanding the provi-
10 sions of AS 26.15.040, AS 27.09, or AS 45.95.020, a moratorium is estab-
11 lished on loans made by the state for mining. Payment of the principal and
12 interest due to the state on each loan made under AS 26.15.040, AS 27.09,
13 or AS 45.95.020 is suspended for two years after the effective date of this
14 Act and the state and its officers may not during this period declare a
15 loan in default or bring an action to foreclose the loan. During the
16 period of the moratorium, the loan does not continue to earn interest.

17 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

SB

201

SENATE COMMITTEE REPORT

FURTHER:

3/31/87

DATE TURNED INTO OFFICE 5/5/87

Mr. President:

FINANCE Committee considered SB 201

local agricultural and fisheries product preference.

and recommended:

^{adopt} replace with CS FOR SB 201 (sa)) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Handwritten signatures]
Rich Veltz (DO PASS)
Walter Kuntz

[Handwritten signature] DO PASS
Chairman signature and recommendation

Committee Backup Attached

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: CS SB 201 SA
Publish Date: 3-31

REQUEST _____

Revision Date: _____
Title: An Act related to local
agricultural and fisheries product
preference
Sponsor: Josephson et al.
Requestor: _____

Agency Affected: Department of Administration
BRU: General Services & Supply

Components: Purchasing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: Attach a separate page if necessary

It is not possible to determine the fiscal impact of reduced competition and potentially higher prices caused by this bill.

Prepared By: Robert J. Link *[Signature]* Phone: 465-2250
Division: General Services & Supply Date: March 26, 1987

Approved by Commissioner: Garrey Peska *[Signature]* Date: 3/27/87
Agency: Department of Administration

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

Original sponsors: Josephson, Szymanski,
Fahrenkamp, et al.

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 201 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the local agricultural and fish-
7 eries product preference; and providing for an effec-
8 tive date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 36.15.050 is amended to read:

11 Sec. 36.15.050. USE OF LOCAL AGRICULTURAL AND FISHERIES PRODUCTS
12 REQUIRED IN PURCHASES WITH STATE MONEY. (a) When agricultural prod-
13 ucts are purchased using state money, only agricultural products
14 harvested in this state shall be purchased whenever [COMPETITIVELY]
15 priced no more than seven percent above products harvested outside the
16 state, available, and of like quality compared with agricultural
17 products harvested outside the state.

18 (b) When fisheries products are purchased using state money,
19 only fisheries products harvested or processed within the jurisdiction
20 of the state shall be purchased whenever [COMPETITIVELY] priced no
21 more than seven percent above products harvested or processed outside
22 the jurisdiction of the state, available, and of like quality compared
23 with fisheries products harvested or processed outside the jurisdic-
24 tion of the state.

25 (c) In [AS USED IN] this section,

26 (1) "agricultural products" includes timber and lumber
27 harvested in the state and products manufactured in the state from
28 timber and lumber that has been harvested in the state;

29 (2) "state money" includes state reimbursement to

1 municipalities and school districts for school or related construc-
2 tion, foundation funding for education, municipal assistance, revenue
3 sharing, and state funds for capital projects.

4 * Sec. 2. AS 36.15.050 is amended by adding new subsections to read:

5 (d) A solicitation for the purchase of agricultural or fisheries
6 products shall specify the requirement that products harvested in the
7 state shall be used where possible. If state money is used to pur-
8 chase agricultural or fisheries products harvested outside the state,
9 the officer responsible for the purchase shall certify in writing the
10 reasons that products harvested in the state were not purchased.

11 (e) If a contractor fails to comply with this section, the
12 purchasing agency shall withhold the state money until the contractor
13 complies. If a municipality or a school district fails to comply with
14 this section, the department responsible for disbursing the state
15 money to the municipality or school district shall withhold the money
16 until the municipality or school district complies.

17 (f) An interested party, as defined in AS 36.30.699, may seek
18 administrative or judicial review of the award of a contract in vio-
19 lation of this section.

20 (g) Compliance with this section is not required if an exception
21 to this section is mandated for participation in a federal program.

22 * Sec. 3. AS 36.30.336 is amended to read:

23 Sec. 36.30.336. APPLICATION. Notwithstanding other provisions
24 of this chapter, AS 36.30.322 - 36.30.338 apply to all procurements
25 subject to this chapter [AS 36.30], except as provided in AS 36.15.-
26 050, AS 36.30.170(b) and 36.30.322(b).

27 * Sec. 4. Section 3 of this Act takes effect on the effective date of
28 sec. 2, ch. 106, SLA 1986.



Official Business

Alaska State Legislature

Senate

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Senate Finance Committee

FROM: Senator Joe Josephson

A handwritten signature in dark ink, appearing to be "JJ", written over the name "Senator Joe Josephson".

DATE: May 5, 1987

RE: Senate Bill 201, relating to the local agricultural and fisheries product preference

Earlier this year, fourteen co-sponsors and I introduced Senate Bill 201 to strengthen our existing preference for Alaskan agricultural and fisheries products. Under the provisions of SB 201:

- a 7% price preference is given to fisheries and agricultural products, including timber, which are purchased by municipalities and school districts using state money. (AS 36.30.322, which we enacted last year, will apply this 7% preference to direct purchasing by the State, effective July 1, 1987.)

- purchasing officers are required to certify their decisions in writing when they fail to purchase Alaskan agricultural or fisheries products;

- funds are allowed to be withheld from a contractor by the public purchasing agency until the contractor complies with these preference provisions;

- Alaskan suppliers are able to request an administrative or judicial review of a purchasing decision.

Thank you for your consideration of SB 201.

5/5/87

Referred: State Affairs
& Finance

BY JOSEPHSON, SZYMANSKI, FAHRENKAMP,
STURGULEWSKI, UEHLING, KELLY, KERTTULA,
DUNCAN, JONES, ABOOD, RODEY, FAIKS,
ZHAROFF, BENNETT, ELIASON AND HALFORD

1 IN THE SENATE

2

SENATE BILL NO. 201

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the local agricultural and fish-
eries product preference."

7

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 36.15.050(a) is amended to read:

10

(a) When agricultural products are purchased using state money,
including state grants to a municipality or school district, only
agricultural products harvested in this state shall be purchased
whenever [COMPETITIVELY] priced no more than seven percent above
products harvested outside the state, available, and of like quality
compared with agricultural products harvested outside the state.

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16

* Sec. 2. AS 36.15.050(b) is amended to read:

17

(b) When fisheries products are purchased using state money,
including state grants to a municipality or school district, only
fisheries products harvested or processed within the jurisdiction of
the state shall be purchased whenever [COMPETITIVELY] priced no more
than seven percent above products harvested or processed outside the
jurisdiction of the state, available, and of like quality compared
with fisheries products harvested or processed outside the jurisdic-
tion of the state.

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* Sec. 3. AS 36.15.050 is amended by adding new subsections to read:

26

(d) A solicitation for the purchase of agricultural or fisheries
products shall specify the requirement that products harvested in the
state shall be used where possible. If state money, including grants
to a municipality or a school district, is used to purchase agri-

27

28

29

1 cultural or fisheries products harvested outside the state, the
2 officer responsible for the purchase shall certify in writing the
3 reasons that products harvested in the state were not purchased.

4 (e) If a contractor fails to comply with this section, the
5 purchasing agency may withhold funds until the contractor complies.
6 An interested party, as defined in AS 36.30.699, may seek adminis-
7 trative or judicial review of the award of a contract in violation of
8 this section.

9 * Sec. 4. AS 36.30.336 is amended to read:

10 Sec. 36.30.336. APPLICATION. Notwithstanding other provisions
11 of this chapter, AS 36.30.322 - 36.30.338 apply to all procurements
12 subject to this chapter [AS 36.30], except as provided in AS 36.15.-
13 050, AS 36.30.170(b) and 36.30.322(b).

POSITION PAPER
SB 201

The bill provides that when State funds, including State grants to a municipality or school district, are used to purchase agricultural products, only products harvested in the state may be purchased when they are priced at no more than 7% more than other products and they are available and of like quality.

The bill also provides that when State funds, including State grants to a municipality or school district, are used to purchase fisheries products, only products harvested or processed within the jurisdiction of the state may be purchased when they are priced at no more than 7% more than other products and they are available and of like quality.

The bill requires that solicitations for agricultural or fisheries products contain the requirement that products harvested in Alaska will be used where possible and that the purchasing officer must certify, in writing, the reasons why Alaskan products were not purchased. If a contractor fails to comply with this section the purchaser may withhold funds until the contractor complies. An interested party may seek administrative or judicial review of a contract awarded in violation of this section.

The Department of Administration is unable to calculate the fiscal impact passage of this legislation would have upon municipalities. The requirement to include municipal grants would have an insignificant affect on the cost to the department administering the grant program. It is likely some of the smaller communities receiving municipal grants would have difficulty providing the administrative review required by Section 3(e). The department supports inclusion of municipal grants in legislation relating to the local agricultural and fisheries product preference.

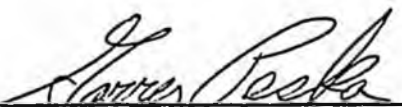
Procedures would be developed and put in place which provide a means for State agencies to monitor contracts for compliance.

The Department of Administration is neutral on this bill.



Robert J. Link, Director
Division of General Services & Supply

3/29/87
Date



Commissioner Garrey Peska
Department of Administration

3/27/87
Date

Effective date of article. — Section 2, title April 24, 1986, in accordance with AS ch. 16, SLA 1986, makes this article effective 01.01.1987 (rel).

Sec. 36.15.050. Use of local agricultural and fisheries products required in purchases with state money. (a) When agricultural products are purchased using state money, only agricultural products harvested in this state shall be purchased whenever competitively priced, available, and of like quality compared with agricultural products harvested outside the state.

(b) When fisheries products are purchased using state money, only fisheries products harvested or processed within the jurisdiction of the state shall be purchased whenever competitively priced, available, and of like quality compared with fisheries products harvested or processed outside the jurisdiction of the state.

(c) As used in this section, "agricultural products" includes timber and lumber harvested in the state and products manufactured in the state from timber and lumber that has been harvested in the state. (§ 1 ch 16 SLA 1986)

Revisor's notes. — Enacted as AS 36.16.020. Renumbered in 1986.

Sec. 36.15.060. Insertion of clause in calls for bids and in contracts. A clause containing the substance of the relevant subsection of AS 36.15.050 shall be inserted in all calls for bids and in all contracts awarded that involve agricultural or fisheries products. (§ 1 ch 16 SLA 1986)

Revisor's notes. — Enacted as AS 36.16.020. Renumbered in 1986.

Chapter 20. Purchases and Supplies.

Sec. 36.20.010. Preference of producers or dealers in Alaska. [Repealed, § 67 ch 106 SLA 1986, effective July 1, 1987.]

Chapter 25. Contractors' Bonds.

Sec. 36.25.020. Rights of persons furnishing labor or material.

NOTES TO DECISIONS

Recovery subject to AS 09.18.151. — *Smith v. Tyonck Timber, Inc.*, Sup. Ct. Op. No. 2413 (File Nos. 7170, 7250, 6801, 6111, 12d 110 (1984).

Recovery under this section is subject to, and not independent of, the express penalty of AS 09.18.151, which prohibits those contractors who fail to duly register from suing on the contracts in which they are unlawfully engaged. State ex rel (1984).

Chapter 30. State Procurement Code.

Article

1. Organization of State Procurement (§§ 36.30.005 — 36.30.050)
2. Competitive Sealed Bidding (§§ 36.30.100 — 36.30.190)
3. Competitive Sealed Proposals (§§ 36.30.200 — 36.30.270)
4. Other Procurement Methods (§§ 36.30.300 — 36.30.320)
5. Preference for Alaska Products (§§ 36.30.322 — 36.30.338)
6. Contract Formation and Modification (§§ 36.30.340 — 36.30.450)
7. Procurement Records and Reports (§§ 36.30.500 — 36.30.540)
8. Legal and Contractual Remedies (§§ 36.30.580 — 36.30.690)
9. Intergovernmental Relations (§§ 36.30.700 — 36.30.790)
10. General Provisions (§§ 36.30.850 — 36.30.995)

Cross references. — For statement of legislative purpose in enacting this chapter, see sec. 1, ch. 106, SLA 1986, in the Temporary and Special Acts.

Editor's notes. — Section 65, ch. 106, SLA 1986, provides: "REPORT. By December 1, 1988, the commissioner of administration and the commissioner of transportation and public facilities shall report to the legislature concerning pro-

urement by state agencies during the fiscal year 1988. The report must include (1) the records prepared under AS 36.30.540,

(2) recommendations for changes in AS 36.30 or other laws based on implementation of AS 36.30 in those 12 months, and

(3) a description of any matters that involved litigation concerning AS 36.30 during those 12 months."

Article 1. Organization of State Procurement.

Section

05. Centralization of procurement authority
10. Chief procurement officer
15. Executive branch agencies
20. Legislature
30. Court system

Section

40. Procurement regulations
50. Lists of contractors
60. Specifications
70. Supply management
80. Leases

(c) The procurement officer shall report to the commissioner of commerce and economic development each contractor penalized under (a) of this section. The commissioner of commerce and economic development shall maintain a list of contractors determined not to be responsible bidders under (b) of this section. (§ 2 ch 106 SLA 1986)

Sec. 36.30.332. Classification of Alaska products [Effective July 1, 1987]. (a) The commissioner of commerce and economic development shall adopt regulations establishing the value added in the state for materials and supplies produced or manufactured in the state that are used in a state procurement and shall publish a list of the products annually. A supplier may request inclusion of its product on the appropriate list.

(b) Materials and supplies with value added in the state that are

- (1) more than 25 percent and less than 50 percent of the manufacturer's quoted price is a Class I product;
- (2) 50 percent or more and less than 75 percent of the manufacturer's quoted price is a Class II product; and
- (3) 75 percent or more of a manufacturer's quoted price is a Class III product.

(c) In a bid or proposal evaluation a

- (1) Class I product is given a three percent preference;
- (2) Class II product is given a five percent preference; and
- (3) Class III product is given a seven percent preference. (§ 2 ch 106 SLA 1986)

Sec. 36.30.334. Identification of Alaska products [Effective July 1, 1987]. An agency may identify specific Alaska products for use in making a procurement. (§ 2 ch 106 SLA 1986)

Sec. 36.30.336. Application [Effective July 1, 1987]. Notwithstanding other provisions of this chapter, AS 36.30.322 — 36.30.338 apply to all procurements subject to AS 36.30, except as provided in AS 36.30.170(b) and 36.30.322(b). (§ 2 ch 106 SLA 1986)

Sec. 36.30.338. Definitions [Effective July 1, 1987]. In AS 36.30.322 — 36.30.338

(1) "Alaska product" means a product produced or manufactured in the state if the value added in the state is not less than 25 percent of the quoted price of the manufacturer;

(2) "produced or manufactured" means processing, developing, or making an item into a new item with a distinct character and use through the application within the state of materials, labor, skill, or other services;

(3) "product" means materials or supplies but does not include gravel and asphalt. (§ 2 ch 106 SLA 1986)

Reviser's notes: Reorganized in 1986 to alphabetize the defined terms.

Article 6. Contract Formation and Modification.

Section	Section
340. Review and approval by the Attorney General	390. Multi-term contracts
350. Bid cancellation, rejection	400. Cost or pricing data
360. Determination of responsibility	410. Right to inspect plant
362. Determination to award a contract to a nonresident	420. Right to audit record
365. Notice of intent to award a contract	430. Standard modifications to contracts
370. Types of contracts	460. Modification of standard contract
380. Approval of accounting system	470. Fiscal responsibility
	480. Cost principal regulations

Effective date of article. — Section 69, ch. 106, SLA 1986, makes this article effective July 1, 1987.

Sec. 36.30.340. Review and approval by the Attorney General [Effective July 1, 1987]. If a contract contains a term that is in conflict with a state standard form contract term or if a standard term is deleted or modified by a term that is not standard, the contract must be reviewed by the Attorney General and approved as to form (§ 2 ch 106 SLA 1986)

Sec. 36.30.350. Bid cancellation, rejection [Effective July 1, 1987]. An invitation to bid, a request for proposals, or other solicitation may be cancelled or any or all bids or proposals may be rejected in whole or in part or the date for opening bids or proposals may be delayed when it is in the best interests of the state in accordance with regulations adopted by the commissioner. The reasons for cancellation, rejection, or delay in opening bids or proposals shall be made part of the contract file. (§ 2 ch 106 SLA 1986)

Sec. 36.30.360. Determination of responsibility [Effective July 1, 1987]. (a) A written determination of responsibility of a bidder or offeror shall be made by the procurement officer in accordance with regulations adopted by the commissioner. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility is grounds for a determination of nonresponsibility with respect to the bidder or offeror.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 3/25/87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCE

**FISCAL NOTE(S) ATTACHED 1 **
IN ACCORDANCE WITH AS 24.08.035
(see below)

3/19/87

DATE TURNED INTO OFFICE 3/31/87

Mr. President:

STATE AFFAIRS Committee considered SB 201

local agricultural and fisheries product preference.

and recommended:

replace with CS SB 201 (STATE AFFAIRS) same title
 attached amendment(s) and new title

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Rich Clark (DO PASS)

Joe Peterson - DO PASS

Joe Fisher "

Sen. Matt Hunt
Chairman signature and recommendation

Committee Backup Attached

CSSS B

201

HOUSE COMMITTEE REPORT

(11)

Date referred: 5/14/87

FURTHER REFERRALS:

*9.15
Ruler*

DATE: 5-15-87

The Finance Committee has considered CSSB 201(SA)

"An Act relating to the local agricultural and fisheries product preference; and providing for an effective date."

RECOMMENDS:

- replace with HCS CSSB 201 (SA) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published 3-31
- zero with analysis

SIGNING DO PASS:

Al Adams

Pat Kausch

Ronald J. Jarm

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

Albert Adams

 Chairman's signature

A

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: HS SB 201 SA
Publish Date: 3-31

REQUEST _____

Revision Date: _____
Title: An Act related to local
agricultural and fisheries product
preference
Sponsor: Josephson et al.
Requestor: _____

Agency Affected: Department of Administration
BRU: General Services & Supply
Components: Purchasing

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: Attach a separate page if necessary

It is not possible to determine the fiscal impact of reduced competition and potentially higher prices caused by this bill.

Prepared By: Robert J. Link *Robert J. Link* Phone: 465-2250
Division: General Services & Supply Date: March 26, 1987

Approved by Commissioner: Garrey Peska *Garrey Peska* Date: 5/27/87
Agency: Department of Administration

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

Original sponsors: Josephson, Szymanski,
Fahrenkamp, et al.

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 201 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL
6 For an Act entitled: "An Act relating to the local agricultural and fish-
7 eries product preference; and providing for an effec-
8 tive date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 36.15.050 is amended to read:

11 Sec. 36.15.050. USE OF LOCAL AGRICULTURAL AND FISHERIES PRODUCTS
12 REQUIRED IN PURCHASES WITH STATE MONEY. (a) When agricultural prod-
13 ucts are purchased using state money, only agricultural products
14 harvested in this state shall be purchased whenever [COMPETITIVELY]
15 priced no more than seven percent above products harvested outside the
16 state, available, and of like quality compared with agricultural
17 products harvested outside the state.

18 (b) When fisheries products are purchased using state money,
19 only fisheries products harvested or processed within the jurisdiction
20 of the state shall be purchased whenever [COMPETITIVELY] priced no
21 more than seven percent above products harvested or processed outside
22 the jurisdiction of the state, available, and of like quality compared
23 with fisheries products harvested or processed outside the jurisdic-
24 tion of the state.

25 (c) In [AS USED IN] this section,

26 (1) "agricultural products" includes, but is not limited
27 to, dairy products, timber and lumber harvested in the state and
28 products manufactured in the state from timber and lumber that has
29 been harvested in the state;

1 (2) "state money" includes state reimbursement to munici-
2 palities and school districts for school or related construction,
3 foundation funding for education, municipal assistance, revenue shar-
4 ing, and state funds for capital projects.

5 * Sec. 2. AS 36.15.050 is amended by adding new subsections to read:

6 (d) A solicitation for the purchase of agricultural or fisheries
7 products shall specify the requirement that products harvested in the
8 state shall be used where possible. If state money is used to pur-
9 chase agricultural or fisheries products harvested outside the state,
10 the officer responsible for the purchase shall certify in writing the
11 reasons that products harvested in the state were not purchased.

12 (e) If a contractor fails to comply with this section, the
13 purchasing agency shall withhold the state money until the contractor
14 complies. If a municipality or a school district fails to comply with
15 this section, the department responsible for disbursing the state
16 money to the municipality or school district shall withhold the money
17 until the municipality or school district complies.

18 (f) An interested party, as defined in AS 36.30.699, may seek
19 administrative or judicial review of the award of a contract in vio-
20 lation of this section.

21 (g) Compliance with this section is not required if an exception
22 to this section is mandated for participation in a federal program.

23 * Sec. 3. AS 36.30.336 is amended to read:

24 Sec. 36.30.336. APPLICATION. Notwithstanding other provisions
25 of this chapter, AS 36.30.322 - 36.30.338 apply to all procurements
26 subject to this chapter [AS 36.30], except as provided in AS 36.15.050
27 [AS 36.30.170(b) AND 36.30.322(b)].

28 * Sec. 4. Section 3 of this Act takes effect on the effective date of
29 sec. 2, ch. 106, SLA 1986.

POSITION PAPER
SB 201



The bill provides that when State funds, including State grants to a municipality or school district, are used to purchase agricultural products, only products harvested in the state may be purchased when they are priced at no more than 7% more than other products and they are available and of like quality.

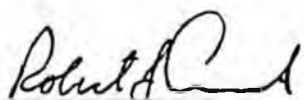
The bill also provides that when State funds, including State grants to a municipality or school district, are used to purchase fisheries products, only products harvested or processed within the jurisdiction of the state may be purchased when they are priced at no more than 7% more than other products and they are available and of like quality.

The bill requires that solicitations for agricultural or fisheries products contain the requirement that products harvested in Alaska will be used where possible and that the purchasing officer must certify, in writing, the reasons why Alaskan products were not purchased. If a contractor fails to comply with this section the purchaser may withhold funds until the contractor complies. An interested party may seek administrative or judicial review of a contract awarded in violation of this section.

The Department of Administration is unable to calculate the fiscal impact passage of this legislation would have upon municipalities. The requirement to include municipal grants would have an insignificant affect on the cost to the department administering the grant program. It is likely some of the smaller communities receiving municipal grants would have difficulty providing the administrative review required by Section 3(e). The department supports inclusion of municipal grants in legislation relating to the local agricultural and fisheries product preference.

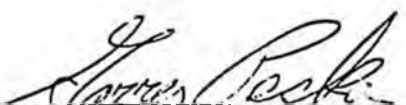
Procedures would be developed and put in place which provide a means for State agencies to monitor contracts for compliance.

The Department of Administration is neutral on this bill.



Robert J. Link, Director
Division of General Services & Supply

3/27/87
Date



Commissioner Garrey Peska
Department of Administration

3/27/87
Date

Effective date of article. Section 2, Title April 24, 1986, in accordance with AS ch. 16, SLA 1986, makes this article effective 01/10/1986.

Sec. 36.15.050. Use of local agricultural and fisheries products required in purchases with state money. (a) When agricultural products are purchased using state money, only agricultural products harvested in this state shall be purchased whenever competitively priced, available, and of like quality compared with agricultural products harvested outside the state.

(b) When fisheries products are purchased using state money, only fisheries products harvested or processed within the jurisdiction of the state shall be purchased whenever competitively priced, available, and of like quality compared with fisheries products harvested or processed outside the jurisdiction of the state.

(c) As used in this section, "agricultural products" includes timber and lumber harvested in the state and products manufactured in the state from timber and lumber that has been harvested in the state. (§ 1 ch 16 SLA 1986)

Revisor's notes. — Enacted as AS 36.16.020. Renumbered in 1986.

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Revisor's notes. — Enacted as AS 36.16.020. Renumbered in 1986.

Chapter 20. Purchases and Supplies.

Sec. 36.20.010. Preference of producers or dealers in Alaska. [Repealed, § 67 ch 106 SLA 1986, effective July 1, 1987.]

Chapter 25. Contractors' Bonds.

Sec. 36.25.020. Rights of persons furnishing labor or material.

NOTES TO DECISIONS

Recovery subject to AS 08.18.151. — Smith v. Tyeock Timber, Inc., Sup. Ct. Op. No. 2413 (File Nos. 7170, 7256, 6801, 7111, 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7120, 7121, 7122, 7123, 7124, 7125, 7126, 7127, 7128, 7129, 7130, 7131, 7132, 7133, 7134, 7135, 7136, 7137, 7138, 7139, 7140, 7141, 7142, 7143, 7144, 7145, 7146, 7147, 7148, 7149, 7150, 7151, 7152, 7153, 7154, 7155, 7156, 7157, 7158, 7159, 7160, 7161, 7162, 7163, 7164, 7165, 7166, 7167, 7168, 7169, 7170, 7171, 7172, 7173, 7174, 7175, 7176, 7177, 7178, 7179, 7180, 7181, 7182, 7183, 7184, 7185, 7186, 7187, 7188, 7189, 7190, 7191, 7192, 7193, 7194, 7195, 7196, 7197, 7198, 7199, 7200, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7208, 7209, 7210, 7211, 7212, 7213, 7214, 7215, 7216, 7217, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7226, 7227, 7228, 7229, 7230, 7231, 7232, 7233, 7234, 7235, 7236, 7237, 7238, 7239, 7240, 7241, 7242, 7243, 7244, 7245, 7246, 7247, 7248, 7249, 7250, 7251, 7252, 7253, 7254, 7255, 7256, 7257, 7258, 7259, 7260, 7261, 7262, 7263, 7264, 7265, 7266, 7267, 7268, 7269, 7270, 7271, 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8600, 8601, 8602, 8603, 8604, 8605, 8606, 8607, 8608, 8609, 8610, 8611, 8612, 8613, 8614, 8615, 8616, 8617, 8618, 8619, 8620, 8621, 8622, 8623, 8624, 8625, 8626, 8627, 8628, 8629, 8630, 8631, 8632, 8633, 8634, 8635, 8636, 8637, 8638, 8639, 8640, 8641, 8642, 8643, 8644, 8645, 8646, 8647, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8667, 8668, 8669, 8670, 8671, 8672, 8673, 8674, 8675, 8676, 8677, 8678, 8679, 8680, 8681, 8682, 8683, 8684, 8685, 8686, 8687, 8688, 8689, 8690, 8691, 8692, 8693, 8694, 8695, 8696, 8697, 8698, 8699, 8700, 8701, 8702, 8703, 8704, 8705, 8706, 8707, 8708, 8709, 8710, 8711, 8712, 8713, 8714, 8715, 8716, 8717, 8718, 8719, 8720, 8721, 8722, 8723, 8724, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733, 8734, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8745, 8746, 8747, 8748, 8749, 8750, 8751, 8752, 8753, 8754, 8755, 8756, 8757, 8758, 8759, 8760, 8761, 8762, 8763, 8764, 8765, 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8932, 8933, 8934, 8935, 8936, 8937, 8938, 8939, 8940, 8941, 8942, 8943, 8944, 8945, 8946, 8947, 8948, 8949, 8950, 8951, 8952, 8953, 8954, 8955, 8956, 8957, 8958, 8959, 8

Original sponsors: Josephson, Szymanski,
Fahrenkamp, et al.

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 201 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the local agricultural and fish-
7 eries product preference; and providing for an effec-
8 tive date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 36.15.050 is amended to read:
11 Sec. 36.15.050. USE OF LOCAL AGRICULTURAL AND FISHERIES PRODUCTS
12 REQUIRED IN PURCHASES WITH STATE MONEY. (a) When agricultural prod-
13 ucts are purchased using state money, only agricultural products
14 harvested in this state shall be purchased whenever [COMPETITIVELY]
15 priced no more than seven percent above products harvested outside the
16 state, available, and of like quality compared with agricultural
17 products harvested outside the state.
18 (b) When fisheries products are purchased using state money,
19 only fisheries products harvested or processed within the jurisdiction
20 of the state shall be purchased whenever [COMPETITIVELY] priced no
21 more than seven percent above products harvested or processed outside
22 the jurisdiction of the state, available, and of like quality compared
23 with fisheries products harvested or processed outside the jurisdic-
24 tion of the state.
25 (c) In [AS USED IN] this section,
26 (1) "agricultural products" includes, but is not limited
27 to, dairy products, timber and lumber harvested in the state and
28 products manufactured in the state from timber and lumber that has
29 been harvested in the state;

1 (2) "state money" includes state reimbursement to municipi-
2 palities and school districts for school or related construction,
3 foundation funding for education, municipal assistance, revenue shar-
4 ing, and state funds for capital projects.

5 * Sec. 2. AS 36.15.050 is amended by adding new subsections to read:

6 (d) A solicitation for the purchase of agricultural or fisheries
7 products shall specify the requirement that products harvested in the
8 state shall be used where possible. If state money is used to pur-
9 chase agricultural or fisheries products harvested outside the state,
10 the officer responsible for the purchase shall certify in writing the
11 reasons that products harvested in the state were not purchased.

12 (e) If a contractor fails to comply with this section, the
13 purchasing agency shall withhold the state money until the contractor
14 complies. If a municipality or a school district fails to comply with
15 this section, the department responsible for disbursing the state
16 money to the municipality or school district shall withhold the money
17 until the municipality or school district complies.

18 (f) An interested party, as defined in AS 36.30.699, may seek
19 administrative or judicial review of the award of a contract in vio-
20 lation of this section.

21 (g) Compliance with this section is not required if an exception
22 to this section is mandated for participation in a federal program.

23 * Sec. 3. AS 36.30.336 is amended to read:

24 Sec. 36.30.336. APPLICATION. Notwithstanding other provisions
25 of this chapter, AS 36.30.322 - 36.30.338 apply to all procurements
26 subject to this chapter [AS 36.30], except as provided in AS 36.15.050
27 [AS 36.30.170(b) AND 36.30.322(b)].

28 * Sec. 4. Section 3 of this Act takes effect on the effective date of
29 sec. 2, ch. 106, SLA 1986.

Original sponsors: Josephson, Szymanski,
Fahrenkamp, et al.

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 201 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the local agricultural and fish-
7 eries product preference; and providing for an effec-
8 tive date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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11 Sec. 36.15.050. USE OF LOCAL AGRICULTURAL AND FISHERIES PRODUCTS
12 REQUIRED IN PURCHASES WITH STATE MONEY. (a) When agricultural prod-
13 ucts are purchased using state money, only agricultural products
14 harvested in this state shall be purchased whenever [COMPETITIVELY]
15 priced no more than seven percent above products harvested outside the
16 state, available, and of like quality compared with agricultural
17 products harvested outside the state.

18 (b) When fisheries products are purchased using state money,
19 only fisheries products harvested or processed within the jurisdiction
20 of the state shall be purchased whenever [COMPETITIVELY] priced no
21 more than seven percent above products harvested or processed outside
22 the jurisdiction of the state, available, and of like quality compared
23 with fisheries products harvested or processed outside the jurisdic-
24 tion of the state.

25 (c) In [AS USED IN] this section,

26 (1) "agricultural products" includes timber and lumber
27 harvested in the state and products manufactured in the state from
28 timber and lumber that has been harvested in the state;

29 (2) "state money" includes state reimbursement to

1 municipalities and school districts for school or related construc-
2 tion, foundation funding for education, municipal assistance, revenue
3 sharing, and state funds for capital projects.

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6 products shall specify the requirement that products harvested in the
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9 the officer responsible for the purchase shall certify in writing the
10 reasons that products harvested in the state were not purchased.

11 (e) If a contractor fails to comply with this section, the
12 purchasing agency shall withhold the state money until the contractor
13 complies. If a municipality or a school district fails to comply with
14 this section, the department responsible for disbursing the state
15 money to the municipality or school district shall withhold the money
16 until the municipality or school district complies.

17 (f) An interested party, as defined in AS 36.30.699, may seek
18 administrative or judicial review of the award of a contract in vio-
19 lation of this section.

20 (g) Compliance with this section is not required if an exception
21 to this section is mandated for participation in a federal program.

22 * Sec. 3. AS 36.30.336 is amended to read:

23 Sec. 36.30.336. APPLICATION. Notwithstanding other provisions
24 of this chapter, AS 36.30.322 - 36.30.338 apply to all procurements
25 subject to this chapter [AS 36.30], except as provided in AS 36.15.-
26 050, AS 36.30.170(b) and 36.30.322(b).

27 * Sec. 4. Section 3 of this Act takes effect on the effective date of
28 sec. 2, ch. 106, SLA 1986.

SB

204

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 3/26/87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)
3/20/87

DATE TURNED INTO OFFICE _____

Mr. President:

FINANCE _____ Committee considered _____ SB 204

repealing and lapsing certain pre-1984 capital appropriations; efd.

and recommended:

- replace with CS _____ same title
- attached amendment(s) and new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Chairman signature and recommendation

Committee Backup Attached

Introduced: 3/20/87
Referred: Finance

5-0923B

BY HALFORD, FAIKS, BENNETT,
FISCHER, UEHLING, ABOOD,
KELLY, ELIASON, COGHILL,
STURGULEWSKI, RODEY,
JOSEPHSON, KERTTULA, SZYMANSKI
AND ZHAROFF

1 IN THE SENATE

2 SENATE BILL NO. 204

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act repealing and lapsing certain pre-1984 capi-
7 tal appropriations; and providing for an effective
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. The unexpended and unobligated balance of each appropri-
11 ation for a capital project made before January 1, 1984, whether in the
12 form of a direct appropriation to a state agency or a grant to a municipal-
13 ity, unincorporated community, or named recipient, but not including appro-
14 priations made in an Act authorizing general obligation bonds, is repealed
15 and lapsed into the general fund.

16 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).
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ALASKA STATE LEGISLATURE

15th Legislature **1st** Session

SENATE **BILL** NO. **204**

By **HALFORD, FAIKS, BENNETT, FISCHER, UEHLING, ABOOD, KELLY, ELIASON, COGHILL, STURGULEWSKI, RODEY, JOSEPHSON, KERTTULA, SZYMANSKI, ZHAROFF**

"An Act repealing and lapsing certain pre-1984 capital appropriations; and providing for an effective date."

Introduced in the Senate **3/20**, 19 **87**...

HISTORY IN THE SENATE

19 **87**

3 20

Read first time and referred to Committee on

Finance
Reported back with recommendation that

Read second time and

Read third time and

PASSED Effective Date
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED Effective Date
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASSED Effective Date
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED Effective Date
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Chapter No.

Filed with Lt. Governor

POSITION PAPER

SB 204

APR 23 1987

LEGISLATIVE FINANCE

SB 204 is a legislative attempt to remove inactive grants from the lists and return unused funds to the General Fund by lapsing all "unexpended and unobligated" balances.

The Department of Administration administers the Municipal Grants Program which is impacted by this legislation. The resulting purge of stale projects would eliminate administrative functions currently performed on nonactive grants. The closing of the nonactive grants would also return unobligated general funds to the state. However, the language used in this bill creates certain dilemmas for the Municipal Grants Program. These are specifically addressed below:

1. "Unobligated"

- A. When a project commences, funds are obligated for contracts for supplies, materials, etc. However, in order to complete the project, "unobligated" funds are used for municipal labor and miscellaneous administrative expenses. These expenditures are necessary to complete the project but by the nature of the use, are not encumbered, thus are "unobligated." Repeal of "unobligated" funds in this situation could result in uncompleted projects, essentially a waste of all expended funds.
- B. Although January 1, 1984, was three years ago, some projects have been pending or deferred due to required studies such as Environmental Impact Studies or disputed contract awards. Repeal of the funds in these cases will eliminate the project.

2. "Immediate effective date"

- A. An immediate effective date for repeal of funds is not consistent with the original grant agreements which allowed five years to "begin substantial ongoing work."
- B. Imposing an arbitrary but specific date by which funds should be obligated or repealed will create a "spending frenzy."

The Department of Administration recommends an approach to lapsing capital projects and continuing grant balances based on

1. Length of time since the original appropriation.
2. Absence of activity in connection with a project for more than one year.

For example: A project could be scheduled to lapse five years after the original appropriation provided there has been no activity recorded over the past year. If activity has been recorded during the past year, the project

POSITION PAPER

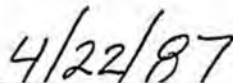
SB 204

would not lapse until a one-year period passes without financial activity being recorded.

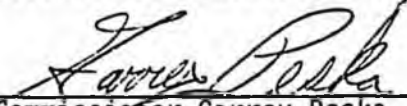
The Department of Administration favors the legislative intent of returning nonactive, unobligated funds to the state, but because of the language used, must adopt a neutral stance on this proposed legislation.



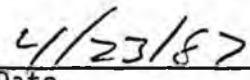
Gary Bader, Director
Division of Administrative Services



Date



Commissioner Garrey Peska
Department of Administration



Date

ESSB

205

HOUSE COMMITTEE REPORT

(11)

Date referred: 5/11/87

FURTHER REFERRALS:

DATE: 5-17-87

The Finance Committee has considered CSSB 205(Res)

"An Act relating to the Railbelt energy council; and providing for an effective date."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Ed Ruppert

Ronald L. Linn

Michael

Mark Boyer

Steve Higgins

Steve Mack

SIGNING OTHER RECOMMENDATIONS:

Lee Adams - NO REC

Peter Jare - NO REC

Kay Wallin - " -

Tony Brown - DO NOT PASS

Mike Dan - NO REC

Lee Adams

 Chairman's signature

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: 4-13-87

REQUEST

Bill/Resolution No.: Senate Bill No. 205
 Title: An act relating to the Railbelt energy council; and providing for an effective date.
 Sponsor: Coghill and Faiks
 Requestor: 751 Resources Committee
 Date of Request: 4/7/87

FISCAL DETAIL

Agency Affected: Alaska Power Authority
 BRU: Department of Commerce & Economic Development
 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS :

Prepared by: *J. White Jr* Robert E. LeResche, Executive Director
 Division: Alaska Power Authority

Phone: 465-3575
 Date: 4/7/87

Approved by Commissioner: J. Anthony Smith
 Agency: Dept. of Commerce & Economic Development

Date: _____

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Original sponsors: Coghill and Faiks

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 205 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Railbelt energy council; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. Section 2(b), ch. 30, SLA 1986, is amended to read:

10 (b) Membership on the council consists of two members appointed
11 by the governor; two senators appointed by the president of the
12 senate; two members of the house of representatives appointed by the
13 speaker of the house; the executive director of the Alaska Power
14 Authority; and one representative from each of the seven Railbelt
15 utilities.

16 * Sec. 2. Section 3, ch. 30, SLA 1986, is amended to read:

17 Sec. 3. This Act is repealed June 30, 1988 [1987].

18 * Sec. 3. The Railbelt energy council, created in sec. 2, ch. 30, SLA
19 1986, shall report to the legislature by February 15, 1988, on the progress
20 made towards implementing the recommendations contained in the council's
21 first report dated January 24, 1987.

22 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

Senator John B. (Jack) Coghill
Alaska State Legislature

Box V
Juneau, Alaska 99811
(907) 465-4797

Box 55028
North Pole, Alaska 99705
(907) 488-0862



May 15, 1987

To: Members of the House Finance Committee
From: Senator Coghill
Re: "SB 205, An Act Relating to the Railbelt energy council and providing for an effective date"

The Railbelt Energy Council (REC) was created by the Legislature during the 1986 session. The Council was established to review various energy related issues and problems of the Railbelt and how best to utilize the Railbelt Energy Fund (REF). The Council was to report its recommendations to the Legislature by February 15, 1987.

The Council was of immense value to all 13 of its members. The legislators became well-versed with the Railbelt energy issues, while the utilities were able, for the first time, to forge a consensus on how best to address the Railbelt energy needs. The council completed its report on January 24, 1987 and transmitted its unanimous findings and recommendations to the legislature.

SB 205 will extend the Council for one year in order to monitor the implementation of its recommendations. In addition, it will provide the only formal mechanism for participation by the Railbelt utilities. The Council will report to the 1988 legislature on how well the recommendations are being implemented and whether there are any remaining problem areas.

In addition, SB 205 will add the Alaska Power Authority to the membership of the Council. The purpose is to make sure that all key players are officially represented in order to enable the Council to address the Railbelt energy issues in the most comprehensive and coordinated manner possible.

Original sponsors: Coghill and Faiks

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1 IN THE SENATE

BY COGHILL AND FAIKS

2

SENATE BILL NO. 205

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - FIRST SESSION

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16 * Sec. 2. Section 2(c), ch. 30, SLA 1986, is amended to read:

17 (c) By February 15, 1988 [1987], the council shall report its
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